

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

MICHAEL WAYNE COX

CASE NO. 10-70012-HDH-13

AKA1:
DBA1:
SS#1: xxx-xx- 5321

AKA2:
DBA2:
SS#2:

REPORT OF 341 MEETING

I. 341 MEETING REPORT:

A. Orig. Date: 2/9/2010 Orig. Time: 12:00 PM Reset Date: Reset Time:

B. Meeting Results: Adjourned

C. Debtor(s): Debtor 1 Appeared

D. Attorney for Debtor(s): Appeared

E. Creditor Appearance: None

F. Amount Paid to the Trustee as of 2/9/2010 \$0.00 First Payment Due Date: 2/13/2010

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Complete
Budgeted Income: \$4,100.00 Expense: \$3,280.00 Surplus: \$820.00
Plan Payment: \$820.00 Monthly Plan Term(Months): 60

I. Value of Non-Exempt Property: \$4,356.00 Proposed Amount to Unsecured Creditors: \$0.00
Objection to Exemption of:
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:
Object to Invoke Stay Pleading
Case Converted from Chapter 7, Bar Date Set: 5/10/2010 Date Converted from Chapter 7:

J. Required Information: Mrs income records or affidavit -- testimony is fine - corrected

K. Business Information:

L. Object to Confirmation: Yes
Sch B fails to correctly list all assets
Non-exempt can't be determined until Sch B is amended
Feasibility until non-exempt property can be determined

M. Financial Management Class: Debtor 1 Appeared

N. Eligibility:
Certificate of Credit Counseling Filed: Debtor 1
Credit Counseling Provider Approved: Yes
Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: MTD
-Mrs income records or affidavit
Questions
-Mrs income records or affidavit.
-Separated is not divorced, need Mrs income records.
No bank statements or income is passed between the two. Separated over a year ago.
-Mr & Mrs getting divorced or reconciling still an option?
No
-Sch B fails to correctly list all assets
-Sch B simply lists "12 guns", need legal description.
-Are all retirement accounts, bank accounts, & cash disclosed?
-Non-exempt can't be determined until Sch B is amended

6308 Iola Avenue Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

-Non-exempt property amount should be \$_____

-Sch I fails to include all income

-Mr employed?

-When where, salary, need stubs & WW

No,

-No unemployment, retirement, SS, wife's contribution? Any income of any kind?

No

-Are all business ventures closed?

Yes

-Any planned?

No

Objections

-Sch B fails to correctly list all assets

-Non-exempt can't be determined until Sch B is amended

-Feasibility until non-exempt property can be determined

-Sch I fails to include all income -- will not be pursued

-Failure to include all disposable income-- will not be pursued

Dated: 2/9/2010

/s/ Walter O'Cheskey

Standing Bankruptcy Trustee

By: Brent Hagen

Page 3 of 4

Case Number:	10-70012
Debtor:	Cox
Attorney:	MJW
Presiding Officer:	Brent Hagan
Calculation Date:	2/9/2010 9:40

Domestic Support Input name from Plan	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral Input name from Plan	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor Input name from Plan	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
IRS	\$40,201.00		60	\$670.02	\$40,201.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees Paid Through the Plan	\$2,699.00			\$2,699.00
--	------------	--	--	------------

Noticing Fees	\$75.20			\$75.20
---------------	---------	--	--	---------

Clerk Filing Fees	\$0.00			\$0.00
-------------------	--------	--	--	--------

Hardacre Minimum	\$0.00	<-----		
Chapter 7 Minimum (Gross)	\$4,356.00			
Less Trustee Fees	\$435.60			
Less Attorney Fees	\$2,699.00			
Less Noticing Fees	\$75.20			
Less Clerk Filing Fees	\$0.00			
Less Scheduled Priority Claims	\$40,201.00			
Less Other (Explain Below)	\$0.00			
Chapter 7 Minimum (Net)	\$0.00	<-----		

Greater Of ----->

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$87,879.18
--	-------------

Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$47,741.87
--	-------------

Debtor Plan Base (Monthly Payment X Term)	\$49,200.00
---	-------------

Surplus (Debtor Plan Base - Calculated Base)	\$1,458.13
--	------------

Comments:

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	2/9/2010 9:40

Schedule I Gross Income		\$0.00
Less Line 57 B22C		\$0.00
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		\$0.00
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: